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SUBDIVISION OF LAND **Proposed Chapter 193 of the** **Code of the Town of Clarence**

December 6, 2004

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Article I	Purpose & Intent
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These rules and regulations shall be known and may be cited as the “The Town of Clarence Subdivision Regulations.” Subdivisions within the Town of Clarence shall be designed and submitted for approval in compliance with the standards and procedures set forth herein.

1. Purpose.

These regulations are adopted for the following purposes:

- A. To protect and provide for the public health, safety and general welfare of the people of the Town of Clarence and Western New York.
- B. To guide the future growth and development in accordance with established standards and sound planning principles.
- C. To secure safety from fire, flood and other danger and to prevent overcrowding of the land and undue congestion of population.
- D. To protect a variety of neighborhoods including the Town’s hamlets, rural areas, industrial, and commercial areas to encourage orderly and beneficial development for the economic stability of the community.
- E. To protect and conserve the value of land, buildings and improvements and to minimize conflicts among the uses of land and buildings.
- F. To guide public and private policy and action in order to provide adequate and efficient transportation, water, sewerage, schools, parks, playgrounds, recreation and other public requirements and facilities.
- G. To provide the most beneficial relationship between land and buildings and the circulation of traffic; having particular regard to the avoidance of congestion in streets, highways and pedestrian traffic.
- H. To establish design standards and procedures for subdivisions and re-subdivisions and to ensure proper legal descriptions and monumenting of subdivided land.
- I. To ensure that public facilities are available and will have a sufficient capacity to serve the proposed subdivision.
- J. To preserve the natural beauty and topography of the Town of Clarence and to ensure appropriate development with regard especially to environmentally sensitive areas.
- K. To provide for open spaces by means of design layout of the land, including open space design to provide width and area of lots, while preserving living unit density as established in the Town of Clarence Zoning Law.
- L. To carry out the objectives cited in the Town’s adopted comprehensive plan.

ARTICLE II, General Provisions

2. Authority.

This chapter is enacted pursuant to the authority granted to the Town Board in Article 16 of the New York State Town Law and Article 10 of the Municipal Home Rule Law for the purpose of providing for the future growth and development of the Town of Clarence and affording adequate facilities for the housing, transportation, distribution, comfort, convenience, safety, health and welfare of its population. By this chapter, the Town Board is empowered to approve site plans and preliminary and final plats of subdivisions showing lots, blocks or sites, with or without streets or highways, within the Town of Clarence.

3. Title

This chapter shall be known as “Local Law No. ____ 2005, Chapter 193, the Subdivision Law of the Town of Clarence.

4. Interpretation; conflict with other laws.

In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare.

A. Conflict with public and private provisions.

(1) Public provisions. The regulations are not intended to interfere with, abrogate or annul any other ordinance, rule or regulation, statute or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

(2) Private provisions. These regulations are not intended to abrogate any easement, covenant or any other private agreement or restriction, provided that where the provisions of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant or other private agreement or restriction, the requirements of these regulations shall govern. Where the provisions of the easement, covenant or private agreement or restriction impose duties and obligations more restrictive or higher standards than the requirements of these regulations or the determinations of the Town Board of the Town of Clarence in approving a subdivision or in enforcing these regulations and such private provisions are not inconsistent with these regulations or determinations thereunder, then such private provisions shall be operative and supplemental to these regulations and determinations made thereunder.

5. Construal of provisions.

These regulations shall not be construed as abating any action now pending under or by virtue of prior existing subdivision regulations or as discontinuing, abating, modifying or altering any penalty accruing or about to accrue or affecting the liability of any person, firm or corporation or as waiving any right of the municipality under any section or provision existing at the time of adoption of these regulations or as vacating or annulling any rights obtained by any person, firm or corporation by lawful action of the municipality except as shall be expressly provided for in these regulations.

6. Enactment

In order that land may be subdivided with these purposes and policy, these subdivision regulations are hereby adopted.

7. Enforcement; penalties for offenses; right to inspect; technical inspections.**A. General enforcement.**

(1) It shall be the duty of the Director of Community Development, Town Engineer, Highway Superintendent, Code Enforcement Officer, or their designees to enforce these regulations and to bring to the attention of the Town Supervisor any violations or lack of compliance herewith.

(2) Once a subdivision has been proposed, no lot within that proposed subdivision shall be transferred or sold before the subdivision plan has been duly filed in the office of the Erie County Clerk.

(3) The subdivision of any lot or any parcel of land, by the use of metes and bounds description for the purpose of sale, transfer or lease with the intent of evading these regulations, shall not be permitted.

B. Violations. Any person, firm, or corporation who fails to comply with or violates any of these regulations shall be guilty of an offense and subject to the penalties of that offense or offenses.**C. Penalties.** Any person, firm, company or corporation which neglects or refuses to do any act required by this chapter shall be guilty of an offense and shall be subject to a fine not to exceed \$250 or imprisonment for not more than 15 days, or both such fine and imprisonment for each violation. Each week that such violation, disobedience, omission neglect or refusal continues or arises shall be deemed a separate offense.**D. Civil enforcement.** Appropriate actions and proceedings may be taken by law or in equity proceedings to prevent any violation of these regulations, to prevent unlawful construction, to recover damages to restrain, correct or abate a violation and to prevent illegal occupancy of a building structure or premises, and these remedies shall be in addition to the penalties described above. Consequently, the Town Board may institute any appropriate action or proceeding to prevent and to restrain, correct or abate such violation or to prevent any illegal act, conduct, business or use in and about such premises.**E. Right to inspect.** The Town Engineer, Highway Superintendent, Code Enforcement Officer, or other Town officials designated by the Town Board, shall have the right to enter upon the property and premises of any business, in accordance with law, to inspect for compliance with the provisions of this chapter. Further, any applicant upon being granted any approval requested under the provisions of this chapter, grants to the Town of Clarence, its officers or designated representatives, a license to enter upon the property and premises governed by said approval to determine that the provisions of this chapter are being fulfilled and to require such work to be done as may be necessary to meet the conditions of said approval.**F. Technical inspections.** The Town Engineer, Town Highway Superintendent, or other Town representative or consultant shall, as part of any approval granted under this chapter, have a license to

Article II	General Provisions
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enter upon the property and premises governed by said approval to make such technical inspections as the Town in its discretion considers necessary to ensure compliance with the provisions of this chapter.

ARTICLE III, Procedures**9. General procedures.**

A. General description. The following is a list of key considerations governing the subdivision of land.

(1) Subdivisions. Subdivisions proposed for the Town of Clarence will be considered either as major or minor subdivisions.

(2) Resubdivisions. Any change to an existing plat is considered a resubdivision and thus requires approval of the Town Board and may be deemed by the Town Board as a major or minor subdivision.

(3) Surety. The Town Board can require that appropriate surety be posted to assure the project is constructed as designed or to assure that conditions of approval are met.

(4) Clustering. The Open Space Design may be considered for any proposal, the Town Board reserves the right to require clustering to protect environmentally sensitive areas or preserve open space. Open Space Design Standards as defined and detailed in Chapter 229, Zoning must be met in approving such applications.

(5) SEQR. All proposals require appropriate environmental reviews in accordance with the state environmental quality review procedures.

B. Minor subdivisions of land are considered to be less complex projects and require a two-step process for approval. Major subdivisions are considered complex divisions of land and require a three-step process for approval.

C. Parcel Line Adjustments.

(1) Parcel line adjustment procedures.

(a) Any applicant wishing to make a parcel line adjustment must submit sufficient information to the Director of Community Development to allow the Planning and Zoning Office to review the same for compliance with this section and the Town of Clarence Zoning Law (Chapter 229 of the Code). This shall include six (6) copies of a plat map sealed by a licensed surveyor reflecting both existing and proposed parcel boundaries, wells for potable water, and septic system locations, if any.

(b) The Director of Community Development shall refer parcel line adjustment applications to the Planning Board Chairman, Town Engineer, Town Assessor and Town Attorney. The application shall be reviewed for compliance with all applicable zoning requirements, applicable subdivision, and New York State Department of Health regulations pertaining to well and septic system distances from parcel boundaries, utility easements, proximity to existing drainage facilities, and other engineering and legal considerations.

(c) Parcel line adjustments shall in no way create non-conforming parcels. Any parcel line adjustment that creates a non-conformity shall be denied. The applicant may appeal a decision on parcel line adjustments to the Zoning Board of Appeals following the procedures set forth in the

Zoning Law (Chapter 229 of the Code of the Town of Clarence).

(d) After receipt of approvals from the Town Engineer, Town Attorney, Town Assessor and Planning Board Chairman, the Director of Community Development may approve the parcel line adjustment.

(e) The approved parcel line adjustment must be filed with the Erie County Clerks Office within 30 days of the date of approval. In the event that the approved parcel line adjustment and respective deeds are not filed within 30 days, the altered parcel line shall become null and void as though it had never been approved.

10. Subdivision applications.

A. Applications. All related application forms are available from the Planning & Zoning Department.

B. Pre-application conferences. Pre-application conferences with the Planning Board and/or the Director of Community Development are encouraged and serve the following functions:

- (1) To review application requirements.
- (2) To identify any potential area of environmental concern.
- (3) To discuss preliminary design of the project.
- (4) To set a possible timetable for review.
- (5) To review Town policies concerning development.

C. Fees. All applications for subdivision approval shall be accompanied by a fee to be established by resolution of the Town Board. This fee shall be used to cover part of the cost of the subdivision review process, including such administrative costs as public hearing notices, inspections, and communications.

D. Public hearing. All subdivision proposals require a public hearing before the Planning Board. Notice will be served by the Planning Board to all owners of property located within 500 feet of the parcel proposed for subdivision. The public hearing is held to permit the public to learn details of the proposed subdivision. Free and open discussion of the project and its impacts will be encouraged during the hearing.

E. Environmental review. Plans for proposed subdivisions may be referred to the Municipal Review Committee (MRC) for review and recommendations. The MRC, along with the Lead Agency, will consider the probable environmental impacts of the proposed subdivision. For Minor Subdivisions the Planning Board will be the Lead Agency for the purpose of making a determination pursuant to SEQR. For Major Subdivisions, the Town Board will be the Lead Agency.

F. Review by other governmental agencies. All subdivisions are referred to all affected local, state and federal agencies. Every subdivision plat must undergo review by the engineer for the Town who will ascertain that civil engineering standards are met. All comments received from reviewing agencies shall become a part of the permanent public record of the project.

G. Date of Receipt. Timetables for decisions shall commence on the date of the first Planning Board meeting subsequent to the filing of a completed application.

H. County Planning Board Review. The Planning Board shall, where required by a 239-n of the General Municipal Law or as may be requested by resolution of the Planning Board, submit the plat to the County Planning Board for review and recommendation. No final decision will be rendered prior to the receipt of such recommendation when the plat is referred pursuant to 239-n.

I. Zoning Compliance Required. If during the course of review a plat is determined not to be in compliance with Town zoning standards, review of the plat will be denied.

J. Property Posting. The applicant must post a “pending action” sign within 48 hours of submission of the application to the Planning Board secretary and/or the Town Clerk. The sign shall remain on the property until final disposition of the application.

11. Minor subdivision review.

A minor subdivision plat shall be prepared and submitted to the Planning Board for all proposed minor subdivisions. The requirements and procedures of this process are as follows:

A. Requirements.

(1) Nine (9) copies of the minor subdivision plat, a completed application, and a fee as required by Chapter 99 of the Code of the Town of Clarence (Fees), shall be submitted to the Planning & Zoning office. Copies will be used for the following purposes:

(a) One (1) copy shall be returned to the subdivider with notification of decision.

(b) One (1) copy shall be retained by the Planning Board.

(c) One (1) copy shall be retained by the Building & Engineering Department.

(d) Six (6) copies shall be used for necessary review coordination.

(2) Additional copies may be required to be submitted to the Planning & Zoning Department if it is determined that other officials, agencies or consultants need to be informed about the project.

(3) The minor subdivision plat shall comply with the requirements set forth in the Design and Construction Standards for Land Development of the Town of Clarence.

B. Procedures shall be as follows:

(1) Completed application. Upon the receipt of an application for a minor subdivision, the Director of Community Development shall review the application submitted to determine whether it is complete in accordance with the standards of this chapter. The Director of Community Development shall place the matter on the agenda of the next available Planning Board meeting for discussion purposes. The Director of Community Development also will distribute the plat to affected agencies, including but not limited to the Town Engineer, the Building Department, the Highway Superintendent, the Traffic Safety Board, the Fire Advisory Board, the Town Assessor, and the Town Attorney.

(2) Public hearing. The Planning Board will set an appropriate date for the public hearing.

(a) The Planning Board will review the completed application and the plat, taking into account the comments of the affected agencies, which have reviewed the application and the plat.

b) The public hearing will be held within 62 days of the date of receipt of a completed application by the Planning Board.

(c) Notice. The notice of the hearing shall be advertised at least once in the official Town newspaper at least five days before such hearing is held. Owners of the property located within 500 feet of the land proposed for subdivision shall be sent a copy of the public hearing notice by the Director of Community Development.

(3) Action on minor subdivision plat.

(a) Public hearing. The Planning Board shall, by resolution, within 62 days after the close of the public hearing, approve conditionally, approve with or without modification or disapprove such plat. The resolution shall contain the findings of fact on the project. Notification of action shall be mailed to the subdivider within seven working days of the date of the Planning Board action. In the case of disapproval of a proposed plat, the Planning Board shall state its reasons for disapproval in its minutes. A letter stating the reasons for denial shall be sent by the Planning Board to the applicant. Failure of the Planning Board to act within the required time period shall constitute approval. Notwithstanding these provisions, the time in which the Board must take action may be extended by mutual consent.

(b) Upon completion of the public hearing, the Planning Board shall make findings of fact on the project. Findings of fact will be based upon information generated during the public hearing and the comments made by the affected agencies and staff reports. This resolution of approval shall include findings of fact.

(c) Conditional approval. Upon resolution of conditional approval, the Planning Board shall empower a duly authorized officer to sign the plat subject to completion of such requirements as may be stated in the resolution. Conditional approval shall expire within 180 days after the date of the resolution granting conditional approval unless all such requirements are completed. This period may be extended by the Planning Board for up to two ninety-day periods beyond the 180 days. Within five days of the resolution of conditional approval, the plat shall be certified by the Director of Community Development as conditionally approved and a copy filed in the Planning and Zoning Office.

(d) Expiration of approval. An approved plat shall be filed in the Erie County Clerk's office within 62 days from the date of the signature of the duly authorized officer of the Planning Board or certification of no action by the Planning Board. Failure to file the plat within this period shall constitute expiration of approval.

(e) Issuance of permits restricted. No site improvements within the subdivision shall be installed until the plat has received final plat approval by the Planning Board and surety has been posted pursuant to this chapter. No building permits shall be issued within the proposed subdivision until the plat has been filed in the Erie County Clerks office and notification of the filing has been received by the Planning and Zoning Department and the Building Department.

12. Major Subdivisions.

A. General Principles. Major Subdivisions are a three-step process consisting of concept plan approval, development plan approval and final plat approval as follows:

(1) Concept Plan. A concept plan is a subdivision map/plan that has limited information about the proposed subdivision and is used for discussion purposes, and to determine compatibility with existing and proposed land use regulations including the adopted Master Plan and generally describes the proposed layout of the subdivision.

(2) Development Plan. A subdivision map containing more detailed refinement of the plats and is considered the major design portion of the project. Development plan approval allows an applicant to proceed with obtaining permits to commence construction on required infrastructure to support the project.

(3) Final Plat. A refinement of the project into its final acceptable form for utilization as a permanent record on the project.

B. Concept Plan Procedure.

(1) Purpose. The purpose of the concept plan review is to provide the subdivider with an opportunity to consult early and informally with the town in order to save time and money to come to an understanding as to the most desirable design given the site constraints and the development requirements of the Town.

(2) Requirements.

(a) Nine (9) copies of a proposed concept plan, a completed application and a fee, as required by Chapter 99 of the Code of the Town of Clarence, shall be submitted to the Planning and Zoning Department within 14 days of a Town Board meeting. The copies shall be utilized for departmental reviews and files and for referrals to regional regulatory agencies.

(b) Additional copies may be required at the request of the Town Board and/or Planning Board. Digital files will also be required for public presentation purposes.

(c) The concept plan shall comply with Design and Construction Standards for Land Development as developed by the Town Engineering and Highway Departments and as adopted by the Town Board.

(3) Process.

(a) Completed application. Upon the receipt of an application for a concept plan review, the Director of Community Development shall review the application submitted to determine whether it is complete in accordance with the standards of this chapter. The Director of Community Development shall place the matter on the agenda of the next available Town Board meeting for discussion purposes. The Director of Community Development will distribute the concept plans to affected agencies and departments for review and comment.

(b) Referral. If the Town Board determines that the proposed subdivision application is in

substantial conformance with the adopted master plan in terms of land use, community character, and substantial conformance with these regulations, the application may be referred to the Planning Board for further review.

(c) Notification. The Director of Community Development will notify adjacent property owners within five hundred feet (500') that the property is currently under concept plan review. The date and time of a Planning Board meeting to introduce the concept will be identified to welcome adjoining property owners to comment on the proposal.

(d) State Environmental Quality Review Act (SEQRA). The Planning Board shall study the concept plan of a proposed subdivision in relation to existing and potential development of the adjacent area, compliance with zoning, environmentally sensitive areas and general development patterns of the Town. Prior to taking any formal action on the application, the Planning Board shall refer the application to the Municipal Review Committee for appropriate actions under SEQRA.

(e) Planning Board Action on the Concept. Upon completion of SEQRA, the Planning Board shall thereafter convey a written report or provide minutes of Planning Board meetings relative to the concept plan with comments to the subdivider. The report or minutes shall contain the Planning Boards comments concerning the design of the proposed subdivision, as well as any suggestions as to coordination with the design of the adjacent subdivisions or compliance with requirements of other affected public agencies. Copies of minutes of the relevant meetings shall be considered a sufficient written report.

(f) Town Board Action on the Concept. No later than sixty-two (62) days following the initial introduction of the proposed subdivision and upon recommendation from the Planning Board, unless required reviews under SEQRA have legally delayed the process, the Town Board shall take action on the proposed subdivision. Such action shall be either a Concept Approval, allowing the project to proceed to Development Plan Review or a denial.

C. Development Plan Procedure.

(1) Nine copies of the development plan and construction detail of proposed improvements, a completed application and a fee, as required by Chapter 99 Fees, shall be submitted to the Planning and Zoning Department within 14 days of a Planning Board meeting. This must occur within six months of the date of the resolution approving the concept plan. The Town Board may, by resolution, authorize an extension beyond the six-month limit.

(2) Additional copies may be required to be submitted to the Planning Board, who may determine that other officials, agencies or consultants need to be informed about the project.

(3) The development plans shall comply with the Design and Construction Standards for Land Development of the Town of Clarence.

(4) The development plans should comply with the recommendations made by the Planning Board and the Town Board in the report on the concept plan.

(5) The development plan shall be clearly marked "preliminary plat" and shall satisfy the requirements for such plats as described in the Design and Construction Standards for Land Development of the Town of Clarence.

D. General Procedures.

(1) Completed application. Upon receipt of an application for a Development Plan review, the Planning Board shall review the application submitted to determine whether it is complete in accordance with the standards of this chapter. The Director of Community Development also will distribute the preliminary plat to the affected agencies, including the Town Assessor, the Town Engineer, the Highway Superintendent and the Building Department for comment. Accompanying the preliminary plat shall be all documents showing construction details of proposed improvements, any supporting materials or engineering reports, and a completed environmental review form.

(2) The Planning Board will review the development plan and the comments from the agencies to which the plat was referred. The Planning Board then may refer the subdivider to appropriate officials or agencies to resolve any issues of design or legal requirements of the respective agencies.

(3) A public hearing is required. The Planning Board will set an appropriate date for a public hearing.

(a) The Planning Board will review the completed application and the preliminary plat, taking into account the comments of the affected agencies.

(b) The public hearing will be held within 62 days of the date of the receipt of a completed application by the Planning Board.

(c) Notice. The notice of the hearing shall be advertised at least once in the official Town newspaper at least five days before such hearing is held. Owners of property located within 500 feet of the land proposed for subdivision shall be sent a copy of the notice by the Director of Community Development, in accordance with the Town Board Public Notification Policy.

E. Action on Development Plan.

(1) Public hearing. The Planning Board shall, by resolution, with 45 days after the close of the public hearing recommend approval conditionally, approval with or without modification or disapproval such development plans. The resolution shall contain the findings of fact generated from the public hearing and agency review of the project.

(2) Upon recommendation of the Planning Board, the Town Board shall consider the development plans and take an action. Approval shall expire within 180 days after the date of the resolution granting approval unless all such requirements are completed. This period may be extended by the Town Board for up to two ninety-day periods beyond the 180 days. The Town Board shall either approve the Development Plans as submitted, approve with modifications, or deny the application for just cause.

(3) Notification. Notification of action shall be mailed to the subdivider and filed in the town Clerk's office within seven (7) working days of the date of the Town Board action. In case of disapproval of a proposed plat, the Town Board shall state its reasons for disapproval in its minutes. A letter stating the reasons for denial shall be sent by the Town Board to the applicant. Failure of the Town Board to act within the required time period shall constitute approval. The certificate of the Town Clerk as to the date of the submission and/or hearing and the failure to take action within such prescribed time shall be issued on demand and shall be sufficient in lieu of written approval. Notwithstanding these provisions, the time in which the Board must take action may be extended by mutual consent.

14 Final Plat Review.

A. Purpose. This step provides for a refinement of information submitted in the Development Plan review procedure, finalizing information about site design and improvements. This information permits the Town Board, the Planning Board and Planning & Zoning Department, The Building Department, and the Town Engineer to make decisions concerning the appropriateness of the proposed subdivision. Some important considerations include but are not limited to:

- (a) Conditions of the preliminary plat approval.
- (b) Mitigating measures resulting from environmental review.
- (c) Offers of dedication.
- (d) Requirements of outside agencies.
- (e) The final plat shall be clearly marked “final subdivision plat” and shall satisfy the requirement for such plat as described in the Design and Construction Standards for Land Development of the Town of Clarence.
- (f) If the subdivider wishes to develop the subdivision in stages, a subdivision plat covering a portion of the area encompassed by the preliminary plat must be submitted, provided that the proposed development stages were generally indicated on the preliminary plat approved by the Planning Board. However, no more than two individual sections shall be in the process or under construction at any time.

B. Procedures.

(1) Completed application. Upon receipt of an application for a final plat review, the Director of Community Development shall review the application submitted to determine whether it is complete in accordance with the standards of this chapter. The Director of Community Development also will distribute the final plat to the affected agencies, including the Town Engineer, Town Attorney, Town Assessor, Highway Superintendent and the Building Department for review and comment.

(2) The Town Board at this time shall process any requests for formation or extension of special districts.

(3) Public hearing. If the Town Board deems the final plat to be significantly different from the preliminary plat with required modifications, the Board may require a public hearing. A hearing shall be required in those instances where there has been a change in primary egress or ingress, an increase in the number of lots or alteration of grading plats or method of water supply and/or sanitary wastewater disposal. A simple change in lot lines without causing any of the above shall not be deemed a significant change requiring a hearing. However, for just cause the Town Board reserves the right to hold a public hearing on a final plat approval. Such public hearing, if required, requires notice to be given. The notice of the hearing shall be advertised at least once in the official Town newspaper at least five days before such hearing is held. Owners of property located within 500 feet of the land proposed for subdivision shall be sent a copy of the public hearing notice by the Director of Community Development.

(4) Action on final subdivision plat. The Town Board shall, by resolution within 62 days after the date of the completed submittal approve, conditionally approve or disapprove such a plat. The resolution shall contain the findings of fact from agency review and from the public hearing, if one has been held. Notwithstanding these provisions, the time in which, the Board must take action may be extended by mutual consent.

(5) Notification of action shall be mailed to the subdivider and filed in the Town Clerk’s office within seven working days of the date of Town Board action. In the case of disapproval of a proposed plat, the

Town Board shall state its reasons for denial in its minutes. A letter stating the reasons for denial shall be sent by the Town Board to the applicant. Failure to act within the require time period shall constitute approval. The certificate of the Town Clerk as to the date of submission and/or hearing and the failure to take action within such prescribed time shall be issued on demand and shall be sufficient in lieu of written approval.

(6) Conditional approval. Upon resolution of conditional approval, the Town Clerk shall sign the plat, subject to completion of such requirements as may be stated in the resolution. Conditional approval shall expire within 180 days after the date of the resolution granting conditional approval unless all such requirements are completed. This period may be extended by the Town Board for up to two ninety-day periods beyond the one hundred eighty (180) day initial period. Within five (5) days of the resolution of conditional approval, the plat shall be certified by the Town Clerk as conditionally approved and a copy filed in the Planning and Zoning office.

(7) Issuance of building permits restricted.

(a) No building permits shall be issued within the proposed subdivision until the final plat has been signed by the Town Clerk and filed with the County Clerk. Notification of such filing must be received by the Planning Board and the Building Department prior to the issuance of permits. When a certificate of occupancy is requested for a new building in a subdivision prior to the completion of all improvements shown on the approved subdivision plat, the utilities and streets serving the building shall be completed to a degree satisfactory to the Town Engineer. The decision of the Engineer shall be based upon the following considerations:

- 1) Adequate vehicular access for the prospective occupant and emergency vehicles.
- 2) Services adequate or completed, including water systems and an approved means to dispose of sanitary wastes.
- 3) Structure completed to the satisfaction of the Code Enforcement Officer, who shall utilize standards set forth in the New York State Fire Prevention and Building Code.
- 4) Where such certificate of occupancy has been issued, the streets and utilities proposed for dedication shall be maintained in a suitable condition by the subdivider at his expense and liability until such time as it is accepted by the Town.

(8) Completion of improvements; waiver; certificate of approval.

(a) Completion of improvements. The developer shall complete all improvements in accordance with the approved development plans. The quality of the improvements must be in accordance with final development plans. Their quality also must be acceptable to the Town Engineer, the Highway Superintendent, the Planning and Zoning Department, or any other agency having jurisdiction.

(b) Waiver. The Town Board may waive, subject to appropriate conditions and guaranties, for such period as it may determine, the provision of any or all such improvements or processes as, in its judgment of the special circumstances of a particular plat or plats, are not requisite in the interest of the public health, safety, and general welfare or which in its judgment are inappropriate because of inadequacy or lack of connecting facilities adjacent or in proximity to the subdivision.

(c) Certificates of subdivision completion. Upon completion of improvements in accordance with the approved development plans, an inspection shall be made of the project by municipal officials who have jurisdiction over various improvements installed. Upon satisfactory review, a certificate of subdivision completion shall be issued by the Town Engineer. Acceptance of offers of dedication and release of final performance bond shall be prerequisites to the issuance of the certificate.

C. Surety. Provisions of this section are administered as provided for in Chapter 277 of the Town Law of the New York State statutes.

(1) Purpose. The purpose shall be to assure compliance with proper installation of facilities and utilities being offered for dedication and to protect future property owners; the Town requires a letter of credit or other acceptable surety to be filed by the developer with the Town prior to commencement of construction of the facilities.

(2) Approval of plats. After final approval of the subdivision plats, the developer will offer a proposed surety which indicates the estimated costs of facilities which will be offered for dedication or other such improvements required by the Town Board. The Town Engineer will review this proposed surety and, after seeking the advice of the Town Attorney or other appropriate officials, if necessary, shall submit a recommendation to the Town Board. The Town Board may, by resolution, accept or reject the proposed value.

(3) Approval of surety. When the Town Board is satisfied with the form and value of the proposed surety and is in receipt of the surety documents, the Town Board, by resolution, will accept the surety and submit it to the Town Attorney, who is charged with authorizing releases on behalf of the Town Board. The Town Attorney will authorize releases from the surety only after receiving instructions from the Town Board regarding the amount of the release, the date and the parties who will be named in the release.

(4) Inspections. All improvements covered under a performance surety must be inspected during construction. Costs of the required inspections may be estimated by the Town Engineer and shall be born by the developer and will be included in the initial value of the surety.

(a) The inspection procedure is designed to determine compliance with the approved development plans.

b) For inspection purposes, the contractor will notify the Town when construction will be undertaken on proposed improvements. Reasonable notice is required, as determined by the Town Engineer.

c) Inspections are the responsibility of the Town Engineer. Subcontracting of inspections on behalf of the Town Engineer may be done only with the prior approval of the Town Board. Should the inspector find improvements are not being installed in compliance with approved development plans the Town shall immediately be notified. The Town will take all necessary and proper steps to rectify the situation.

d) The process for release of surety will be initiated when a request is made by the developer for partial or total release and is submitted to the Town for approval. The request will be submitted by the Town to the Town Engineer, who shall compare the request with the inspection record.

e) Upon completion of improvements, the Town Board may honor a request for final release of funds. This process begins when the developer submits a request for release to the Town. Inspection by Town officials of the improvements is required to assure improvements have been properly accomplished. The Town Board will decide whether to accept the dedication. If a road is offered for dedication, the Superintendent of Highways will decide whether to accept dedication. Upon acceptance of dedication, the Town Board will require the developer to provide a two-year maintenance bond.

15 Special Districts.

A. Purpose. The purpose shall be to provide certain utilities and services, on an equitable basis and also to assure a means of ongoing maintenance of those utilities and services; the Town of Clarence will create or extend special districts. These districts shall be formed in conformance to the provisions of New York State Town Law and as also set forth in these regulations. The formation of these special districts is accomplished to assure that only those who benefit from the installation of those utilities and services are responsible for paying for their installation and maintenance. Special districts must in place prior to approval of any subdivision that will utilize such utilities.

B. Requirements.

(1) Requirements to create or extend districts are set forth in Article 12 of New York State Town Law.

(2) Applications to create or extend a district must be accompanied by the required fee as set for in Chapter 99 of the Code of the Town of Clarence (Fees), a metes and bounds description of the district and a description of any easements or other information required to form the type of district requested. One copy of any application and accompanying materials to be presented to a state agency whenever necessary is required as part of the process of obtaining final plat approval.

3) Procedures. Application for the formation of a district is processed as follows:

a.) Applications for state approval are submitted to the Town Board through the Planning and Zoning Department.

b.) The Director of Community Development refers the Town application and accompanying documents for processing.

c.) The Town Board must ensure that the following procedural steps are completed:

1. The documents are forwarded to the Town Engineer, who prepares the maps and plats for the creation or extension of the district.

2. The Attorney for the Town receives and reviews all documents to assure that all provisions of Article 12 of the New York State Town Law and all other legal requirements are met. If all matters are in compliance, the Town Attorney prepares:

- a. The petition for creation of the district.
- b. The notice for public hearing.

c. The resolution creating or extending the district.

d.) Public hearing. Upon receipt of a completed application for the district and recommendation of the Town Attorney, the Town Board shall schedule and hold a public hearing on the proposed district or extension of a district. The purpose of the public hearing is to permit free and open discussion of the proposed district. Notice of the public hearing shall be published in accordance with the provisions of New York State Law. If the Town Board determines the proposal meets all state and local requirements, the district shall be created or extended by resolution of the Town Board.

e.) Notification. Notification of the decision shall be the responsibility of the Town Clerk and shall be performed in accordance with all provisions of state law. Final documentation concerning the creation or extension of the district shall become a part of the permanent public record of the subdivision and distributed by the Town Clerk accordingly.

ARTICLE IV, Required Improvements**16. Required improvements.**

The following improvements are necessary to assure that all lots in subdivisions are adequately and properly served with utilities, sanitation features which provide a healthy and safe environment and other safeguards which assure property is properly identified, accessible to pedestrians and to vehicles and safeguarded against dangers, such as flooding and erosion. Improvements are required to preserve, to the greatest extent possible, the natural features of the land and to make the subdivision an attractive and desirable place to live.

A. Preservation of natural features. Wherever practical, natural features of the property being subdivided shall be preserved.

1) To the fullest extent possible, all existing trees and shrubbery shall be preserved by the subdivider. The subdivision should be designed with consideration being given to the preservation of natural features. Precautions also shall be taken to protect existing trees and shrubbery during the process of grading the lots and roads. Where any land other than that included in public rights-of-way is to be dedicated to the public use, the developer shall not remove any trees from the site without written Planning Board approval.

2) Where a subdivision is traversed by natural surface water, the boundaries and alignment of the body of water shall be preserved unless the Planning Board finds that a change would be ecologically sound and would enhance the development and beauty of the project. All proposed changes in the boundaries of bodies of water shall be referred to the Erie County Soil & Water Conservation District for review and recommendations and be designed and approved in accordance with Article 15 of the New York State Environmental Conservation Law.

3) Every effort should be taken by the subdivider in designing a project to preserve unique physical features, such as historic landmarks and sites, rock outcroppings, hilltop lookouts, desirable natural contours and similar natural features.

B. General requirements.

1) Land subject to flooding and land deemed by the Planning Board to be uninhabitable for other reasons shall not be platted for residential occupancy nor for such other uses as may increase danger to health, life or property or aggravate a flood hazard.

2) The location and width of all proposed streets shall be in conformity with the existing or amended plans of the Town or Planning Board.

3) The proposed street layout shall be coordinated with the street system of the surrounding area. Where possible, existing principal streets shall be extended and the names of such streets continued.

4) Where, in the opinion of the Planning Board, it is desirable to provide for street access to an adjoining property, proposed streets shall be extended by dedication to the boundary of such property and a temporary turnaround shall be provided.

- 5) No lot remnants shall be permitted to appear on any plat.
- 6) Where land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future streets and logical further resubdivision. Reverse-frontage lots may be required on major arterials.
- 7) Double frontage lots shall be avoided whenever possible.
- 8) Proposed streets which are obviously in alignment with others existing and named shall bear the assigned name of the existing streets. In no case shall the name for proposed streets duplicate or be phonetically similar to existing street names, irrespective of the use of the suffix street, avenue, boulevard, drive, place, court, etc.

C. Lots.

- 1) The size, shape and orientation of non-residential lots shall be such as the Planning Board deems appropriate or as stated herein, for type of development and use contemplated. Residential lots shall comply with the following requirements:
- 2) Lot dimensions and area shall not be less than the requirements of Chapter 229, Zoning, unless a variance has been granted by the Zoning Board of Appeals.
- 3) Side lot lines shall be substantially at right angles or radial to street lines.
- 4) All lots shall abut their full frontage on a publicly dedicated street or a street that has received the legal status as such or on an approved private road as approved by the Town Board in an Open Space Design Development or Open Development Area.
- 5) Lots in a floodway or floodplain or within 100 feet of a designated wetland, whether incorporated as a part of the subdivision or not, are subject to the following provisions:
 - a) Flood damage prevention as provided for in Chapter 107 of the Code of the Town of Clarence.
 - b) Article 24 of the New York State Environmental Conservation Law.
 - c) Wetlands falling under federal jurisdiction will be subject to a site-specific buffer zone, the width of which is to be as designated by the Planning Board, unless appropriate fill permits are obtained from the United States Army Corps of Engineers. Under no other circumstances shall the Town approve any project or issue permits for a project that includes plans to build a structure or place fill within the designated buffer zone.
- 6) A lot of less than three hundred (300) feet frontage fronting on a county or state highway shall be designed so as to share a common curb cut with an adjacent lot if either adjacent lot has not been previously granted a curb cut permit. When more than three (3) lots are proposed to be subdivided from a parcel with frontage on a county or state highway, frontage for all such lots shall be on internal streets, not on a county or state highway. Each lot permitted to front on a county or state highway shall provide for an approved on site turnaround so as to obviate the necessity of any vehicle from backing onto such highway. Similar provision for on site turnarounds on town highways shall be encouraged.
- 7) Any such common curb cut and/or common driveway shall be subject to reciprocal easements and suitable maintenance agreements which shall be noted by reference on the subdivision plat, reviewed and approved by the Planning Board and recorded in the Erie County Clerks office. Any such common

driveway shall be further subject to criteria that may be promulgated by the Planning Board for the design, construction and approval of common driveways.

8) Access from private streets. Access from privately owned and maintained streets, as may be specifically authorized by the Town Board in accordance with section 280(a) of the Town Law, shall be deemed acceptable only if such streets are designed and improved in accordance with this section and means satisfactory to the Planning Board are provided for the long term ownership and maintenance of said privately owned and maintained streets. The subdividing of land shall be such as to provide each lot with satisfactory access for routine and emergency purposes from the community's system of public streets and roadways.

D. Easements.

Utility and other easements shall be provided as follows:

1) Utility easements. An easement shall be provided for all utility lines wherever those utility lines do not fall within a dedicated right-of-way. All utility easements shall be plotted on both the preliminary and final subdivision plat. The developer must identify all easements in deeds for each lot affected. Utility easements shall have a minimum width of 15 feet. All utility lines which are primarily intended to provide service to the lots within the subdivision shall be installed underground at a depth and at such locations as will minimize risk of interruption of services.

2) Where a subdivision is traversed by a watercourse, drainageway, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of such watercourse, and such further width or construction, or both, as will be adequate for the purpose.

3) Lakes, ponds, creeks and similar areas may be accepted for maintenance only if sufficient land is dedicated as a public recreation area or park. Such areas must be approved by the Town Engineer before approval of the final plat. Where such area constitutes a necessary part of the drainage control system, such area must be approved by the Town Engineer.

4) Drainage easements. Drainage easements shall be provided for all natural and man-made drainageways which do not fall within a dedicated right-of-way. All drainage easements shall be plotted on the preliminary and final plats. The Town shall be provided with a metes and bounds description of all proposed easements prior to final plat approval. These descriptions will be used by the Town Engineer in creating or extending special districts.

5) The Town Board reserves the right to require additional easements when the purposes of the easements are found to be in the public interest.

E. Buffer strips.

When residential districts directly abut major arterials and/or commercial and industrial development or other areas as determined by the Planning Board, a buffer strip consisting of at least 45 feet shall be provided along the line where such land uses abut. For purposes of title, these buffer strips shall be part of the platted lots but shall have the following restriction set forth on the final plat: "This buffer strip is reserved for the planting of trees or shrubs by the owner; the building of structures and other impervious surfaces hereon is prohibited."

F. Utilities.

These improvements are required to assure that the property is adequately served by water, sewer and drainage systems and by electric power and other fuel-distribution systems. To assure that these systems are properly installed and easily repaired, inspection of the installation of these improvements is required.

1) Water distribution. A system of transmitting potable water to the subdivision and appurtenances in adequate amounts for the normal use of each lot in the proposed subdivision.

a) Public water supply systems. Public water supply from the Erie County Water Authority shall be provided wherever existing water mains are reasonably accessible in the opinion of the Planning Board. The system must be approved by the New York State Department of Health and must conform to Erie County Water Authority requirements.

2) Sanitary sewer systems. Sanitary sewage is the combination of human and household wastes with water. These sewer systems are used to dispose of sanitary sewage from individual lots in a subdivision. Two types of sanitary sewer systems are permitted: public sanitary sewer systems and individual sewage disposal systems. All public and selected individual sanitary sewer systems must be approved by the New York State Department of Environmental Conservation and/or the New York State Department of Health, whichever is applicable.

a) Public sanitary sewers shall be provided whenever existing sanitary sewers are reasonably accessible in the opinion of the Town Board. These systems also must conform to the Design and Construction Standard of Land Development of the Town of Clarence.

b) Individual sewage disposal systems are on-lot systems, which means that the sewage is disposed of on the lot. Individual sewage disposal systems shall not be used in any development, which has more than four (4) lots of less than five acres (5 ac.) in size.

3) Drainage systems. These are a combination of natural watercourses and man-made facilities intended to convey stormwater runoff and shall conform to the Design and Construction Standards for Land Development in the town of Clarence.

a) Adequate and comprehensive drainage systems shall be provided in accordance with the natural direction of runoff for the total upland watershed area affecting the subdivision. Such drainage systems shall have sufficient capacity to accommodate the potential future runoff based upon the probable land use and ultimate development of the total watershed area upland of the subdivision.

b) In general, the preservation of natural watercourses is preferable to the construction of drainage channels, and, wherever practicable, such watercourses should be preserved and utilized.

c) When storm drain connections to storm sewers are not possible, all storm drainage shall be piped underground so as to take all runoff away from the building, parking and walk areas and discharge to the nearest swale or detention facility.

4) Cable television. It shall be the developer's responsibility to coordinate the installation of the cable television wire with the cable television provider and the lead utility company.

5) The installation of improvements shall be subject to inspection at all stages by representatives of the Town of Clarence. For this purpose, free access shall be afforded and requested information shall be

promptly submitted. The cost of such inspections shall be approved by the Town Engineer and included in the value of the surety submitted for the project.

G. Site surface improvements.

These improvements are required to assure the ecology of the subdivision is not disturbed adversely, that the subdivision presents an attractive appearance, that is properly paved and monumented and that all improvements are recorded on the final plat for approval by the Town of Clarence.

1) Erosion control. The subdivider shall preserve unique physical features, such as historic landmarks and sites, rock outcroppings, hilltop lookouts, desirable natural contours and similar natural features in designing a project. Erosion and sedimentation control shall conform to the Design and Construction Standards for Land Development of the Town of Clarence.

During the development process, the developer shall expose the smallest practical area of land at any one time. Proper erosion control measures shall be in place prior to any area being disturbed. Examples of normal erosion control are straw baling, silt dams made of synthetic materials and siltation collection depressions.

2) Topsoil.

a) Topsoil moved during the course of construction should be stored in such a manner as to allow for minimum volume to be stacked or stored at any one time. The stacking or storage period should be kept as short as possible.

b) Removal, storage, and redistribution of topsoil should be consistent with the phasing of construction for the purpose of reducing the need for the storage of large volumes of soil over a lengthy period. Soil shall be redistributed so as to cover all areas of the subdivision adequately to a minimum depth of six inches for each lot and shall be stabilized by seeding or planting. Topsoil piles shall be stabilized by seeding. Permanent removal of topsoil requires prior permission of the Town Board as part of the permit required by this chapter. Prior to said removal authorization the applicant shall demonstrate that sufficient topsoil will remain. A minimum of six inches of topsoil must remain for portions of the site not covered by structures, sidewalks, parking areas, roadways or driveways.

c) Removal of any topsoil from the site must be approved by the Town Board. Processing of the soil, i.e., screening, requires permit as issued by the Town Board.

d) Temporary vegetation and/or mulching should be provided to prevent potential erosion problems during construction.

e) Upon completion of the project, the subdivider shall not be permitted to leave any hills or mound of dirt around the tract. All surfaces should be restored within six months of the time of the completion of the section of the subdivision.

f) Upon completion of the project, the subdivider shall not be permitted to leave any surface depressions which will collect pools of water except as may be required for retention of stormwater runoff.

3. Landscaping. Landscaping is the improvement of land by contouring and decorative planting, which

includes vegetative ground cover.

a) All lots which are disturbed during the course of construction and which are not covered by structures or paving shall be properly landscaped.

b) Individual homeowners, by written agreement with the developer, subdivider or builder, may landscape their yards independently.

c) Additional landscaping may be required by the Planning Board to screen or buffer the subdivision from a visually non-compatible use.

4. Street signs. Permanent street signs of the same type and design in general use throughout the town, showing the names of intersecting streets, shall be erected at each intersection.

5. Monuments. Permanent reference monuments shall be set at critical corners and angle points of the boundaries within the subdivision. Generally, critical corners and angle points shall be deemed to mean boundary corners and angle points in the boundaries of the parcel being subdivided and in street right-of-way boundaries at all street intersections. Variations to this general rule shall be permitted with Planning Board approval. Requests for deviations shall be made prior to preliminary plat approval. Agreements on monumentation shall be incorporated into the subdivision plan of the final plat.

6. Accessways. All roads and streets shall be constructed in conformance with the Design and Construction Standards for Land Development in the Town of Clarence.

7. Sidewalks. The policy of the Town of Clarence is to encourage the building of sidewalks wherever needed. The need for sidewalks in major subdivisions shall be determined by the Planning Board. Location of sidewalks generally shall be within the road right-of-way and any pedestrian access easements. Sidewalks shall conform to the Design and Construction Standards for Land Development of the Town of Clarence.

8. Planting. Adequate tree planting shall be completed. Street trees shall not be less than 40 nor more than 50 feet apart. Tentative tree species will be indicated on the preliminary plat. Generally, trees shall not be less than two inches to two and a half inches in diameter at the base as the time of planting. They may be planted on either side of the sidewalk, unless the planting strip is less than eight feet, in which case, they should be planted in the lawn area. Trees must be adequately supported by guy wires until firmly rooted.

H. Park and Passive Recreation Space.

1) Reservation of parkland. Before the Town Board may approve a subdivision plat containing residential units such subdivision plat shall also show, when required by such Board, a park or parks be suitably located for playground or other recreational purposes within the Town

(a) Land for park, playground or other recreational purposes may not be required until the Planning Board has made a finding that a proper case exists for requiring that a park or parks be suitably located for playgrounds or other recreational purposes within the Town. Such findings shall include an evaluation of the present and anticipated future needs for park and/or recreational facilities in the Town of Clarence based on projected population growth to which the subdivision will contribute.

Article IV

Required Improvements

(b) If the Planning Board makes the findings set forth in the precluding subsections but finds, in addition thereto, that a suitable park or parks of adequate size to meet the Planning Boards requirement cannot be properly located on the subdivision plat, the Planning board may require a sum of money in lieu thereof, in an amount established by the Town Board by a resolution.

(c) In determining the suitability for the location of parks or recreational facilities in a given subdivision plat, the Planning Board shall assess the size and suitability of lands shown on the subdivision plat, as well as practical factors, including whether there is a need for additional facilities in the immediate neighborhood.

5. Moneys required by the Town Board in lieu of land for park, playground or other recreational purposes, pursuant to this section, as required by * 277, Subdivision 4 (c) of the Town Law, shall be deposited into a trust fund to be used by the town of Clarence exclusively for park, playground or other recreational purposes, including the acquisition of property.

6. The authority granted herein shall not preclude the Town Board from requiring that a given project meet the open space requirements of the Town Code.

7. All subdivisions shall comply with the Master Plan 2015 of the Town of Clarence. Minor residential subdivisions will not require an open space set aside. Thirty five percent open space is required of other subdivisions. Subject to Planning Board approval, the open space set aside must be addressed by:

- a) Conservation easements, subject to Town approval or approval by a Town approved land trust;
- b) Land dedication; or
- c) Other methods, with approval by the Planning Board and/or Town Board.

I. Driveway grade and design.

Driveway grades between the street pavement and the minimum building setback line shall not exceed ten percent (10%), with a suitable negative grade provided within twenty (20) feet of the intersecting street pavement. The remainder of the driveway shall be designed and built to afford suitable access to the building site in accordance with the provisions of the New York State Uniform Fire Prevention and Building Code and to prevent adverse impacts from either stormwater drainage or erosion on the public street or roadway.

J. Streets.

General objectives. Streets shall be of sufficient width, suitably located and adequately constructed to accommodate the prospective traffic and normal road maintenance equipment. The arrangement of streets shall be coordinated such that the streets compose a convenient system, cause no undue hardship to adjoining properties and render no property inaccessible from an existing street or from a proposed street in a subdivision for which a completion bond or similar performance guaranty has been posted.

- a). Right-of-Way widths shall be as follows:

Type of Street	Minimum right-of-Way Width
Arterial	150 Feet *

<h2 style="margin: 0;">Article IV</h2>	<h2 style="margin: 0;">Required Improvements</h2>
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Collector	100 Feet*
Local or Minor Street	70 Feet

*NOTE: Or as determined after consultation with the County Department of Public Works, Planning Board and the State Department of Transportation or jurisdiction of the road it contacts.

b). Pavement widths face-to-face curb shall be not less than the following:

Type of Street	Pavement Width (feet)
Arterial	50 Feet *
Collector	48 Feet*
Local or Minor Street	28 Feet

*NOTE: Or as determined after consultation with the County Department of Public Works, Planning Board and the State Department of Transportation or jurisdiction of the road it contacts.

c). Street grades:

Street grades may be not more than 7% nor less than 0.4 of 1% (or as determined after consultation with the Town or County Department of Public Works, the Planning Board or the State Department of Transportation, when applicable).

Grades approaching intersections may not exceed 4% for a distance of not less than 100 feet from the center line of said intersection where possible (or as determined after consultation with the Town Highway Department, County Department of Public Works, the Planning Board or the New York State Department of Transportation, when applicable).

d). Where a center-line deflection angle or more than 10 degrees occurs, a circular curve shall be introduced, having a centerline radius of not less than the following:

Major street: 500 feet
Collector Street: 300 feet
Local or Minor Street: 150 feet

e). All vertical curves shall have such length as necessary to provide safe sight distances as specified by the American Association of State Highway Officials.

f). Except for minor street, there shall be a tangent of at least 100 feet between reverse curves.

g). Street intersections shall be laid out as follows:

Streets shall intersect as nearly as possible at right angles, and no street shall intersect at less than 75 degrees. Intersections with principal arterial streets shall be at least 1300 feet apart measured from center-line to center-line.

Proper sight lines shall be provided and maintained at all intersections of streets. Measured along the center line, three feet above pavement, there shall be a clear sight distance triangle of 200 feet on major arterials, 100 feet on collector streets and 75 feet on local or minor streets, measured from a point of the center-line intersection of the streets.

A centerline-offset minimum of 125 feet shall be provided at street jogs.

Multiple intersections involving the junction of more than 2 streets shall be avoided whenever possible, but where they are unavoidable, such intersections shall be designed with extreme care for both vehicular and pedestrian safety.

h). Cul-de-sac streets shall not be created to provide access to residential lots except in situations where, in the view of the Planning Board, a through street cannot reasonably be provided due to the physical characteristics of the subdivision parcel and adjoining properties. Where a cul-de-sac street is authorized, either as a permanent dead-end street or as a temporary dead-end street pending completion of a through road network, not more than twelve (12) single-family residential lots may gain access from either the initial development or extension of such cul-de-sac street.

1. A cul-de-sac shall be restricted to a maximum of seven percent (7%) grade in all zoning districts and to a length of fifteen hundred feet.

2. A turnaround with a right-of-way radius of at least sixty (60) feet and a pavement radius of at least fifty (50) feet shall be provided at the end of any cul-de-sac or permanent dead-end street. The cul-de-sac street shall otherwise be governed by all stated requirements of the Towns Street and Highway Specifications.

i). The dedication of half-street at the perimeter of a new subdivision is prohibited. Where there exists a half-street in an adjoining subdivision, the remaining half shall be provided by the proposed development.

j). A temporary turnaround, 50 feet in radius, shall be required where the logical extension of a subdivision street is terminated and that the street is two or more lots deep. A "T" type turnaround may be used with the approval of the Highway Superintendent and the Planning Board.

k). Minimum design standards. Streets and related improvements shall be laid out and constructed in accordance with the minimum design standards prescribed in the Town Street and Highway Specifications of the Town of Clarence, as adopted by the Town Board and incorporated by reference in this chapter.

l). Subdivisions developed abutting existing or dedicated or platted streets where rights-of-way are inadequate, the developer shall make available the additional rights-of-way to meet the minimum standards of these regulations. Rights-of-way may be determined after consultation with the Town Highway Superintendent and the Town Engineer.

m). Adequate plan consideration and provision for pedestrian and/or bicyclists shall be made accommodating safe and convenient circulation within the subdivision and between the subdivision and surrounding areas of interest (parks, schools, commercial activity, etc.). Design elements shall include walks, paths, or other linkages along roads, property lines or other common areas within the boundaries of the subdivision, as acceptable to the Planning Board. Sidewalk requirements may be waived by the Planning Board at its discretion.

K. Blocks.

- 1) Block lengths generally shall not exceed 1,500 feet.
- 2) Blocks shall have a sufficient width to allow two tiers of lots of minimum depth. Blocks may consist of single tier lots where such are required to separate residential developments from through vehicular traffic or non-residential uses.
- 3) Commercial areas shall comply with Chapter 229, Zoning, of the Code of the Town of Clarence. The block layout shall conform, with due consideration of site conditions, to the best possible layout to serve the buying public, to permit good traffic circulation and the parking of cars, to make delivery and pickup efficient and to reinforce the best design of the units in the commercial area.
- 4) The block layout in industrial areas shall be governed by the most efficient arrangements of space for present use and future expansion, with due regard for worker and customer access and parking, and shall comply with Chapter 229, Zoning, of the Code of the Town of Clarence.

L. Amount of land dedicated.

- 1) In general, the Planning Board shall require that ten percent (10%) of the total land area within the subdivision be set aside and shown on the plat for active and passive recreation purposes, including trails and other linkages between neighborhoods. All lands designated on the plat as park or open space must be deemed suitable for this purpose by the Planning Board based upon overall consistency with Master Plan 2015 and a site-specific analysis of the lands topographic, geologic, hydrological and location characteristics.
- 2) The Planning Board may establish such conditions on the subdivision concerning access, use and maintenance of such park and open space lands as deemed necessary to ensure the preservation of the lands, in perpetuity, for their intended purposes. Such conditions shall be clearly noted by the licensed land surveyor and/or professional engineer on the plat prior to final plat approval and subsequent recording of the plat in the office of the Erie County Clerk.
- 3). Information to be submitted. In the event that an area to be used for park or open space is required to be show, the subdivider shall submit, prior to final plat approval, to the Planning Board, drawings at a scale of not less than twenty (20) feet to the inch of such area and the following features thereof:
 - a.) The boundaries of said area, giving lengths and bearings of all straight lines, and radii, lengths, central angles and tangent distances of all curves.
 - b.) Existing features, such as streams, ponds, clusters of trees, rock outcrops and structures, existing or proposed.
 - c.) Existing and, if applicable, proposed changes in the grade and contours of said area and of the area immediately adjacent for a distance of not less than one hundred (100) feet, with such contours to be at an interval of not more than two (2) feet.
 - d) Plans for improvements of said area, not limited to grading, seeding, fencing, landscaping, the provision of play and related equipment and the address of conditions relating to the protection of the public health and safety.
 - e). Payment in lieu of dedication. In cases where, because of the size, topography or location of

the subdivision or because of the area of the individual lots provided within the subdivision or of the proposed open space, the requirement for land dedication or reservation for parks and other open space purposes would be deemed unreasonable or undesirable by the Planning Board, the Planning board shall alternatively require, under Section 277 of the Town Law, that a payment be made into a special trust fund for town recreation site acquisition and/or improvement in lieu of such land dedication or reservation within the subdivision. Such payment shall be a condition of approval of the final plat and shall be assessed on a per lot or per dwelling unit basis in accordance with the subdivision fee schedule establish and annually reviewed by the Town Board upon recommendation of the Planning Board. This fee shall not apply to any proposed lot presently developed with a residential structure and legally occupied within the past twelve (12) months for residential purposes. No final plat shall be signed by the Chairman of the Planning Board until such payment has been received by the town and receipt therefore provided to the Planning Board.

M. Pedestrian Traffic Improvements.

1) Adequate provision shall be made for the convenient and safe movement of pedestrians and bicyclists in a subdivision for residential, institutional or commercial purposes throughout the Town of Clarence. All streets designated as through roads shall have an improved pedestrian path, sidewalk, or bikeway provided on at least one (1) side of the street. Any such sidewalk or pedestrian path shall be so placed that there will be a distance of not less than four (4) feet between the sidewalk and the street pavement. A bikeway or combined bicyclist/pedestrian path, not less than four (4) feet in width, may be alternatively situated adjacent to the street pavement and be visually separated by striping on both its inner and outer edges.

2) To the extent considered practicable by the Planning Board and in consideration of public health, safety and convenience, the Planning Board may require that additional or alternatively located pedestrian ways be provided within a subdivision to provide access to parks or public spaces, school sites, neighborhood shopping facilities or similar destinations. Any such pedestrian way may be situated within either a public right-of-way or established within a suitable easement.

ARTICLE V, Open Development Areas**A. Purpose:**

1. Pursuant to Section 280-a of Town Law, the town board, in order to maintain the rural character of the Town and to provide relief to landowners that wish to subdivide land which lacks adequate public road frontage for standard lot development or for more efficient utilization of rear yard space, may by resolution, establish an open development area or areas within the Town.

B. Requirements:

1. The maximum number of lots in any open development area shall be four (4).
2. There shall be a minimum of one hundred foot (100) separation along the public road between the common driveway to an open development and any existing or proposed driveway and any public street or right-of-way. This condition will encourage efficient land use by eliminating exception lots and future frontage lots adjoining the open development.
3. The minimum lot size in an open development area shall be two (2) acres each. No home may be built closer than one hundred fifty (150) feet from a public road right-of-way and forty-five (45) feet from a private drive. The minimum width shall be two hundred (200) feet at the setback line. All other setback regulations and lot coverage requirements for the zoning district in which the open development area is located shall apply.
4. The common driveway for an open development area shall have a minimum right-of-way width of thirty-six (36) feet. The paved surface shall consist of a minimum width of twenty (20) feet of asphalt pavement with a turnaround provided. The required pavement cross-section and turnaround shall comply with the town of Clarence standard details for open development pavement.
5. The common driveways shall not be used for any more than four (4) single family lots unless adequate public road frontage exist to allow frontage lots that meet the dimensional requirements for open development area lots. The Town Board may approve such frontage lots as long as the intent of this law and the character of the surrounding area is maintained, including a requirement that frontage lots be accessed via the common driveway approved for the open development area. Provisions of the New York Real Property Law must be met.
6. Water Supply
 - a.) Domestic Water A minimum of a two (2) inch waterline designed by a professional engineer, licensed in New York State, to provide adequate volume and pressure and approved by the Erie County Water Authority.
 - b.) Fire protection shall require an eight inch (8) waterline and hydrant be provided to service any principal use within an open development area located more than six hundred (600) feet from an existing fire hydrant. Such line shall be designed by a professional engineer, licensed in New York State, and must be approved by the Erie County Water Authority.
 - c.) In lieu of extending a fire protection water line, a National Fire Protection Association compliant sprinkler system, meeting the requirements for the specific occupancy load of the structure, must be installed for each principal structure and any detached accessory structure

exceeding 720 square feet in floor area. Accessory structures with setbacks exceeding one hundred (100) feet from any principal structure and lot line are exempt from this requirement.

7. An access and maintenance agreement for common infrastructure and utilities within any open development area, acceptable to the Town Board, must be in place prior to final approval of the open development.
8. No principal building within an open development area shall contain less than two thousand (2,000) square feet for a one-story structure and two thousand five hundred (2,500) square feet for a two-story structure.
9. Only one single family home per lot may be allowed in an open development area.
10. All other zoning requirements of the zone in which the open development area is approved shall be met.
11. Engineering drawings and specifications submitted to and approved by the Town Engineering Department presenting existing topography, proposed grades, pavement details, drainage plans with calculations, sanitary sewer service, waterline size and hydrant locations signed and sealed by a New York State licensed engineer.
12. Any open development area, if approved, shall expire two years from the date of development plan approval if major construction has not commenced. Major construction consists of infrastructure such as roads, waterline, and other improvements.
13. Erie County Health Department must approve the plans for wastewater management and the potable water line prior to Town Board approval for any open development area.
14. All recreation and open space fees apply in any open development area including frontage lots approved as a part of the final design.
15. Any open development area application must be evaluated under the State Environmental Quality Review Act requirements.
16. All other applicable parts of this subdivision law (Sec L.L. 193) and New York State Real Property Law shall apply.
17. Stop sign to be provided by developer at the developers expense on common driveway at public road.

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ARTICLE VI, Definitions and Word Usage

8. Definitions; word usage.

A. Word usage. Words in the singular include the plural, and words in the plural include the singular. The word “person” includes a corporation, unincorporated association and a partnership as well as an individual. The word “lot” includes “parcel” or “plot.” The word “building” includes “structure” and shall be construed as if followed by the word “or part thereof.” The word “street” includes “road,” “highway” and “lane;” while “watercourse” includes “drain,” “ditch” and “stream.” The word “may” is permissive. The word “shall” is mandatory.

B. Definitions. Unless otherwise expressly stated, the following terms shall, for the purposes of this regulation, have the meanings indicated:

ALLEY - A strip of land over which there is a right-of-way, municipally or privately owned, serving as a secondary means of access to two or more properties.

APPLICANT - The owner of land proposed to be subdivided or developed or his agent. Proof of agency shall be required from the legal owner of the land proposed to be subdivided.

APPURTENANT ACTIVITIES - All on site operations located on properties with approved subdivision or site plans involved in the hauling, treatment, processing or further fabrication of soil, sand, gravel or natural deposits, including washing, sedimentation ponds, grading, sorting, grinding and crushing.

ARCHITECT - A person licensed as an architect by the State of New York.

BLOCK - A tract of land bounded by streets and public parks, cemeteries, railroad rights-of-way, shorelines of waterways or boundary lines of other municipalities.

BOARD - The Town of Clarence Town Board.

BOARD OF HEALTH - The New York State Department of Health.

BOND - Any form of security, including a cash deposit, surety bond, collateral, property or letter of credit, in an amount and form satisfactory to the attorney for the Town. All forms of security shall be approved by the Town Board wherever a “bond” is required by these regulations.

BOUNDARY REVISION, ADMINISTRATIVE - A boundary revision which consists solely of the simple consolidation of parcels, affecting no more than two parcels, and does not result in the creation of additional parcels. Such parcel consolidation shall not be deemed a subdivision.

BUILDING DEPARTMENT - The Town of Clarence agency responsible for matters of code enforcement and building construction.

BUILDING PERMIT - An authorization issued by the Building Department to commence work on a structure in accordance with approved plats and specifications and in compliance with the New York State Uniform Fire Prevention and Building Code.

CERTIFICATION OF COMPLETION - A document which certifies that all site improvements have been

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completed in compliance with plans approved by the Town Board.

CERTIFICATE OF OCCUPANCY - A document which certifies that a structure is habitable.

CLUSTERING - Authority, granted by *278 of the Town Law of New York State, whereby the Town Board is authorized to modify certain provisions of Town of Clarence Zoning. The modification must occur at the same time the plat or plats are approved pursuant to this Article and modifications are subject to reasonable conditions set forth by the Town Board. The purposes of such authorization will be to enable and encourage flexibility of design and development of land in such a manner as to promote the most appropriate use of the land. It is designed to facilitate the adequate and economical provision of streets and utilities and to preserve the natural and scenic qualities of open lands.

CODE ENFORCEMENT OFFICER – The agent appointed by the Town Board to enforce the codes of the Town of Clarence.

COLLECTOR STREET - A dedicated street used to carry traffic from minor streets to primary or major thoroughfares, including the principal entrance streets of a development and streets for circulation within a development.

COMPREHENSIVE PLAN – The materials, written and/or graphic, including but not limited to maps, charts, studies, resolutions, reports, and other descriptive material that identify the goals, objectives, principles, guidelines, policies, standards, devices, and instruments for the immediate and the long range protection, enhancement, growth and development of the town.

CONCEPT PLAN - A drawing prepared in accordance with Article III of these regulations showing in general form the manner in which a tract of land is to be subdivided or developed.

CONDITIONAL APPROVAL OF A FINAL PLAT - The approval by the Planning Board of a final plat subject to conditions set forth in a resolution. Such conditional approval does not qualify a final plat for recording in the office of the Erie County Clerk, nor does it provide authorization for the issuance of building permits.

CONSERVATION ADVISORY COUNCIL - An environmental research and advisory board created by the Town Board pursuant to Article 12-F of the General Municipal Law. The Board reviews and makes recommendations to the Town Board on natural and physical environmental factors for projects under review by the Planning Board and Town Board.

CONSTRUCTION DETAIL - The maps or drawings accompanying a subdivision plat or site plan and showing the specific location and design of improvements to be installed in the subdivision pursuant to the requirement of these regulations and in conformance with the Design and Construction standards for Land Development of the Town of Clarence.

CONTRACTOR - An agent acting for the developer to construct the required improvements of the project. The “contractor” is responsible to perform the work in conformance with these requirements subject to the approval of Town officials.

CROSSWALK - See pedestrian access walkway.

CUL-DE-SAC - A minor street with one end open for vehicular traffic and pedestrian access and the other end terminating in a vehicular turnaround.

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DEDICATION - The deliberate unconditional appropriation of real property by its owner for any general and public uses. Offers of “dedication” are subject to approval by the Town Board and/or the Superintendent of Highways.

DEVELOPER - An individual, partnership or corporation or its agent holding title to a parcel of land to be developed or subdivided.

DEVELOPMENT PLAN - a tentative subdivision plat clearly marked “preliminary plat,” prepared in accordance with Article III of these regulations. This plat shows in greater detail than the sketch plat features of the land, street and lot layout within and adjacent to the propose subdivision and includes preliminary design data pf the Town of Clarence related improvements.

DOUBLE-FRONTAGE LOT (REVERSE FRONTAGE LOT) - A lot having at least two sides fronting on separate streets, which do not intersect while adjoining the lot.

DRAINAGE DISTRICT - A special district established or extended pursuant to the Town Law of New York State statutes for the purpose of constructing or maintaining storm water drainage facilities.

DRAINAGE EASEMENT - The lands or easements required for the installation of storm water sewers or drainage ditches or required along a natural stream or watercourse for preserving the channel and providing for the flow of water therein to safeguard the public against flood damage.

DRIVEWAY - An access point serving no more than two lots and providing ingress or egress to a road or street. Mutually owned “driveways” must have reciprocal easements and a common maintenance agreement.

DULY DESIGNATED OFFICER - The person or public official authorized to sign subdivision plats or site plans pursuant to these regulations. In the absence of any designated official, the duly designated officer shall be assumed to the Town Supervisor.

EASEMENT - Authorization granted by a property owner for the use by another of any designated part of his property for a specified purpose not inconsistent with the general property rights of the owner.

ENGINEER - A person licensed as professional engineer (P.E.) by the State of New York.

ENGINEER FOR THE TOWN - The duly designated engineer for the Town of Clarence.

ENVIRONMENTAL REVIEW - See “State Environmental Quality Review (SEQR).

ENVIRONMENTALLY SENSITIVE AREA - Land or land features critical to the maintenance of ecosystems.

FINAL SUBDIVISION PLAT - A plat of a major subdivision, prepared in accordance with Article III of these regulations, showing the subdivision in its most detailed form.

FLOOD HAZARD AREA - The land in the floodplain within the community subject to a one-percent or greater chance of flooding in any given year.

FLOOD LIMITS - The land/water boundary of a natural watercourse flowing at its one-hundred-year

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frequency as defined by a responsible agency, such as the United States Army Corps of Engineers and the United States Department of Housing and Urban Development.

FLOODPLAIN - Areas adjoining a watercourse, which are flooded as a result of a severe combination of meteorological and hydrologic conditions.

FLOODWAY - The channel and those parts of the adjoining floodplain which are required to carry and discharge floodwaters without unduly raising upstream water levels.

GRADING PLAN - A plat showing all present and proposed grades for stormwater drainage and final site design.

IMPROVEMENTS - Those physical additions and changes to the land that may be necessary to produce functional lots, including but not limited to grading, paving, curbing, fire hydrants, water mains, sanitary sewers and drains, utilities, sidewalks, pedestrian access walkways and required plantings which may or may not be offered for dedication.

INDIVIDUAL SEWERAGE SYSTEM - A single system of piping, tanks or other facilities serving only a single lot and disposing of sewage or other liquid wastes into the soil of the lot.

INSPECTOR - An agent of the Town empowered to inspect the progress of the project and compliance of the construction with the approved plats and specifications.

LETTER OF CREDIT - A letter taken out by the owner from a bank which guarantees the Town that a specific amount of money will be kept available for the completion of construction of facilities to be dedicated. This security can be drawn on only by the Town and guarantees that certain or all improvements will be made in accordance with the approved plats.

LOT - Land identified by legal description or tax account number which is filed or proposed to be filed in the Erie County Clerks office, having minimum area or dimensions permitted in the Town of Clarence land use controls. A "lot" is considered to be a unit of transfer or a unit for development.

METES AND BOUNDS SURVEY – Legal boundary survey stamped by a licensed professional engineer of the State of New York with a legal text description.

MINOR SUBDIVISION - Any subdivision containing not more than four (4) lots, each of at least the minimum lot area and dimension permitted by the Zoning Law, not involving any new public street or road or the extension of town or other municipal facilities, not adversely affecting the development of the remainder of the parcel or adjoining properties and not in conflict with any provision or portion of the adopted comprehensive plan, Official Map, Zoning Law, or this chapter.

MAJOR SUBDIVISION - Any subdivision not classified as a minor subdivision, including but not limited to subdivisions of five (5) or more lots, or any subdivision requiring any new street or any extension of town or other municipal facilities.

MONUMENT - A permanent reference marker set at points as may be required by this chapter.

MULTIPLE DWELLING - A dwelling of three or more separate living units.

OFFICIAL SUBMISSION DATE - The date when a subdivision plat shall be considered submitted to the

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Town Board, as provided in *276 of the Town Law of the New York State statutes, and is hereby defined to be the date of a meeting of the Town Board at which all required surveys, plats and data required in subdivision application are deemed submitted.

OWNER - Any person, group of persons, firm or firms, corporation or corporations, or any other legal entity having legal title to or sufficient proprietary interest in the land sought to be subdivided or developed under these regulations.

PARALLEL ACCESS ROAD - A local street, which is parallel and adjacent to a primary or major thoroughfare.

PARCEL - An area of land defined by a Tax Map number or by metes and bounds.

PARCEL LINE ADJUSTMENT - A transfer of land from one parcel to another parcel without creating any new parcels.

PARENT PARCEL - A parcel of land as it existed on the effective date of these regulations.

PEDESTRIAN ACCESS WALKWAY - A right-of-way, municipally or privately owned, at least 4 feet in width, which cuts across a block to furnish access for pedestrians to adjacent streets or properties.

PERMANENT HIGHWAY EASEMENT - A strip of land adjacent to an existing street right-of-way line used for a public purpose. The front lot line shall be considered to be coincident with the "permanent highway easement" boundary. Front setbacks and other necessary lot measurements shall be measured from the "permanent highway easement" line. Where there is no requirement for a "permanent highway easement," the front line shall be considered to be coincident with the existing right-of-way line, with front setbacks and any other necessary lot measurements being measured from the existing right-of-way line.

PIN - A metal reference marker set at points as may be required in this chapter.

PLANNING BOARD - A Municipal Board created pursuant to * 271 of the New York State Town Law.

PLAT - A map cover of a major or minor subdivision that is filed with the Erie County Clerk's Office pursuant to these regulations.

PRE-APPLICATION CONFERENCE - An informal meeting between the Town and a subdivider or developer to develop an understanding of the general design and layout of the land, street and lot Article III of these regulations. This plat shows in greater detail than the sketch plat features of the land, street and lot layout within and adjacent to the proposed subdivision and includes preliminary design data of the Town of Clarence for related improvements.

RECORD SHEET - A map or plat, which provides information concerning the actual location of improvements as built. -A.K.A. "As - Built" Drawings.

RESUBDIVISION - Revision of all or part of an existing filed plat, including consolidation of lots or alteration of approved lot boundaries. If the proposed "resubdivision" consists solely of the simple alteration of lot lines, then normal subdivision procedures may be waived at the discretion of the Board. Major or minor status is at the discretion of the Town Board..

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RIGHT-OF-WAY

(1) PRIVATE RIGHT-OF-WAY - Existing land owned by a nonpublic agency or organization and occupied or intended to be occupied by transmission mains, gas pipelines, rails or other special use.

(2) PUBLIC RIGHT-OF-WAY - Existing land owned by public agencies for use as a street or other public purpose.

SERVICE DRIVE -See “alley.”

SETBACK - The required space between any street or highway line and the wall of the main structure, including any attachment thereto, with the exception only of cornices or entrance steps.

SIGNIFICANCE DETERMINATION - A decision made by the lead agency at one or more points in the approval process. The decision establishes the degree to which the proposed project is likely to affect the environment.

STATE ENVIRONMENT QUALITY REVIEW (SEQR) - A formal review pursuant to part 617 of the New York Codes, Rules and Regulations which encourages productive and enjoyable harmony between man and his environment to promote efforts which will prevent or eliminate damage to the environment and enhance human and community resources; and to enrich the understanding of ecological systems, natural, human and community resources important to the people of the Town of Clarence.

STREETS – A paved surface used for public transportation purposes. The following functional classifications are defined as follows:

- ALLEY - A strip of land over which there is a right-of-way, municipally or privately owned, serving as a secondary means of access to two or more properties.
- LOCAL STREET – A publicly dedicated right-of-way used as the primary means of access for individual properties.
- COLLECTOR - A publicly dedicated right-of-way used to carry traffic from local streets and alleys to minor or major arterials, including but not limited to, the principal entrance streets of a development and streets for circulation within a development.
- MINOR ARTERIAL – A publicly dedicated right-of-way used to carry traffic from collector streets to other areas of the Town or adjacent municipalities. Efficiency and limited access controls are present to reduce conflicts and improve effectiveness of roadway.
- PRINCIPAL ARTERIAL – A publicly dedicated right-of-way used to carry traffic from collectors and minor arterials to other areas of the Town and Western New York Region.

SUBDIVIDER - Any person, firm or corporation or their agent proposing a subdivision as defined herein.

SUBDIVISION - The division of any parcel into two or more parcels.

SURVEYOR - A person licensed as a land surveyor by the State of New York.

TOPSOIL - The layer surface material which is not less than six inches deep and which is capable of nurturing vegetation.

TOWN BOARD - The municipal governing board of the Town of Clarence.

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WETLANDS - Freshwater wetlands, including lands and submerged lands, commonly called “marshes,” “swamps,” “sloughs,” “bogs” and “flats,” supporting aquatic and semi-aquatic types identified in Article 24 of the New York State Environment Conservation Law.

ZONING MAP - The officially adopted map of the Town of Clarence, which shows the boundaries of the zoning districts.

ZONING ORDINANCE - The officially adopted Zoning Ordinance of the Town of Clarence.